



General Assembly

February Session, 2016

Amendment

LCO No. 5895



Offered by:
SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 393

File No. 331

Cal. No. 245

"AN ACT CONCERNING DOMESTIC WORKERS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 46a-51 of the 2016 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective January 1, 2017*):

6 As used in section 4a-60a and this chapter:

7 (1) "Blind" refers to an individual whose central visual acuity does
8 not exceed 20/200 in the better eye with correcting lenses, or whose
9 visual acuity is greater than 20/200 but is accompanied by a limitation
10 in the fields of vision such that the widest diameter of the visual field
11 subtends an angle no greater than twenty degrees;

12 (2) "Commission" means the Commission on Human Rights and
13 Opportunities created by section 46a-52;

- 14 (3) "Commission legal counsel" means a member of the legal staff
15 employed by the commission pursuant to section 46a-54;
- 16 (4) "Commissioner" means a member of the commission;
- 17 (5) "Court" means the Superior Court or any judge of said court;
- 18 (6) "Discrimination" includes segregation and separation;
- 19 (7) "Discriminatory employment practice" means any discriminatory
20 practice specified in section 46a-60 or 46a-81c;
- 21 (8) "Discriminatory practice" means a violation of section 4a-60, 4a-
22 60a, 4a-60g, 31-40y, 46a-58, 46a-59, 46a-60, 46a-64, 46a-64c, 46a-66, 46a-
23 68, 46a-68c to 46a-68f, inclusive, or 46a-70 to 46a-78, inclusive,
24 subsection (a) of section 46a-80 or sections 46a-81b to 46a-81o,
25 inclusive;
- 26 (9) "Employee" means any person employed by an employer but
27 shall not include any individual employed by such individual's
28 parents, spouse or child;
- 29 (10) "Employer" includes the state and all political subdivisions
30 thereof and means any person or employer (A) with three or more
31 persons in such person's or employer's employ, or (B) employing a
32 domestic worker without regard to the total number of domestic
33 workers in such person's or employer's employ;
- 34 (11) "Employment agency" means any person undertaking with or
35 without compensation to procure employees or opportunities to work;
- 36 (12) "Labor organization" means any organization which exists for
37 the purpose, in whole or in part, of collective bargaining or of dealing
38 with employers concerning grievances, terms or conditions of
39 employment, or of other mutual aid or protection in connection with
40 employment;
- 41 (13) "Intellectual disability" means intellectual disability as defined

42 in section 1-1g;

43 (14) "Person" means one or more individuals, partnerships,
44 associations, corporations, limited liability companies, legal
45 representatives, trustees, trustees in bankruptcy, receivers and the state
46 and all political subdivisions and agencies thereof;

47 (15) "Physically disabled" refers to any individual who has any
48 chronic physical handicap, infirmity or impairment, whether
49 congenital or resulting from bodily injury, organic processes or
50 changes or from illness, including, but not limited to, epilepsy,
51 deafness or hearing impairment or reliance on a wheelchair or other
52 remedial appliance or device;

53 (16) "Respondent" means any person alleged in a complaint filed
54 pursuant to section 46a-82 to have committed a discriminatory
55 practice;

56 (17) "Discrimination on the basis of sex" includes, but is not limited
57 to, discrimination related to pregnancy, child-bearing capacity,
58 sterilization, fertility or related medical conditions;

59 (18) "Discrimination on the basis of religious creed" includes but is
60 not limited to discrimination related to all aspects of religious
61 observances and practice as well as belief, unless an employer
62 demonstrates that the employer is unable to reasonably accommodate
63 to an employee's or prospective employee's religious observance or
64 practice without undue hardship on the conduct of the employer's
65 business;

66 (19) "Learning disability" refers to an individual who exhibits a
67 severe discrepancy between educational performance and measured
68 intellectual ability and who exhibits a disorder in one or more of the
69 basic psychological processes involved in understanding or in using
70 language, spoken or written, which may manifest itself in a diminished
71 ability to listen, speak, read, write, spell or to do mathematical
72 calculations;

73 (20) "Mental disability" refers to an individual who has a record of,
74 or is regarded as having one or more mental disorders, as defined in
75 the most recent edition of the American Psychiatric Association's
76 "Diagnostic and Statistical Manual of Mental Disorders"; [and]

77 (21) "Gender identity or expression" means a person's gender-
78 related identity, appearance or behavior, whether or not that gender-
79 related identity, appearance or behavior is different from that
80 traditionally associated with the person's physiology or assigned sex at
81 birth, which gender-related identity can be shown by providing
82 evidence including, but not limited to, medical history, care or
83 treatment of the gender-related identity, consistent and uniform
84 assertion of the gender-related identity or any other evidence that the
85 gender-related identity is sincerely held, part of a person's core
86 identity or not being asserted for an improper purpose; [.] and

87 (22) "Domestic worker" means any individual or employee who is
88 paid or who is told he or she will be paid to perform work of a
89 domestic nature in or about a private dwelling, including, but not
90 limited to, housekeeping, home management, child care, caretaking of
91 individuals, including sick, convalescing and elderly individuals,
92 laundrying, meal preparation, home companion services and other
93 household services for occupants of the private dwelling or the guests
94 of such occupants. "Domestic worker" does not include an au pair
95 admitted into the United States on a J-1 visa and whose employment is
96 governed by the provisions of 22 CFR 62.31"

This act shall take effect as follows and shall amend the following sections:

Section 1	January 1, 2017	46a-51
-----------	-----------------	--------